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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/733,274	12/07/2000	Bruce Tribbensee	002880.P005	4002

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EXAMINER

THAI, HANH B

ART UNIT PAPER NUMBER

2171

DATE MAILED: 10/09/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/733,274

Applicant(s)

TRIBBENSEE, BRUCE

Examiner

Hanh B Thai

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 December 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 4/2/01 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3. 6) ☐ Other: _____

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This is in response to the application filed on December 7, 2000 in which claims 1-10 are presented for examination.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 9-10 are rejected under 35 U.S.C. 102(e) as being anticipated by Allen et al U. S. Patent no. 6,026,410.

1. Regarding claim 9, Allen discloses an apparatus comprising:

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- a parser to identify a keyword in a message received from a user (column 5, lines 28-36 and column 5, line 62 to column 6, line 11);
- a connector file to indicate an action associated with the keyword;
- an action logic to perform the action; and
- a response logic to send a response with a result from the action to the user (column 33, lines 50-58).

2. Regarding claim 10, the limitations of this claim have been noted in the rejection of claim 9. Applicant's attention is directed to the rejection of claim 9 above. In addition, Allen discloses the apparatus wherein the message and the response are email messages (column 40, line 50).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-4 and 6-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hussey U. S. Patent no. 5,826,269 in view of Allen et al U. S. Patent no. 6,026,410.

3. Regarding claim 1, Hussey discloses a method comprising:

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- receiving a message including a request (column 6, lines 26-30);
- identifying a connector based on a keyword in the message;
- performing an action identified by the connector;
- sending a response including the data to the requester (column 7, lines 20-27 and column 10, line 60 to column 11, line 2).

Hussey, however, does not explicitly disclose “identifying a connector based on a keyword”. Allen, on the other hand, discloses these limitations on (column 2, line 62 to column 3, line 14). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Hussey as taught by Allen, to identify a connector in the message because it would allow a user interface to link information to the desired lists (column 1, lines 40-41).

4. Regarding claim 2, the limitations of this claim have been noted in claim 1. Applicant’s attention is directed to the rejection of claim 1 above. In addition, Hussey discloses the method wherein the message is an electronic mail message (column 7, lines 40-45).

5. Regarding claims 3-4, the limitations of this claim have been noted in claim 1. Applicant’s attention is directed to the rejection of claim 1 above. In addition, Allen discloses the method wherein performing an action comprises:

- accessing a web page identified by the connector;
- filling in a form on the web page; and
- obtaining data from the web page (column 28, lines 1-13)

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6. Regarding claims 6-7, the limitations of this claim have been noted in the rejection of claim 1. Applicant's attention is directed to the rejection of claim 1 above. In addition, Allen discloses the method further comprising:

- identifying a keyword in the request designating a destination for the response; and
- sending the response to the destination (column 5, line 60 to column 6, line 10).

7. Regarding claim 8, the limitations of this claim have been noted in the rejection of claim 1. Applicant's attention is directed to the rejection of claim 1 above. In addition, Allen discloses the method wherein the keyword indicates one or more

of the following: an action to be performed, data to be downloaded, and a destination for a response to the request (column 2, line 67 to column 3, line 3 and column 6, lines 5-10).

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hussey U. S. Patent no. 5,826,269, in view of Allen et al U. S. Patent no. 6,026,410 and further view of Donaldson U. S. Patent no. 6,321,267.

8. Regarding claim 5, the limitations of this claim have been noted in the rejection of claim 1. Applicant's attention is directed to the rejection of claim 1 above. However, neither Hussey nor Allen discloses the method of downloading data from the web page. Donaldson, on the other hand, discloses these limitations on (column 1, lines 46-59). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Hussey and Allen as taught by

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Donaldson, to give users flexibility of sending email message across the Internet (column 2, lines 14-15).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hanh B Thai whose telephone number is 703-305-4883. The examiner can normally be reached on 8 AM - 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on 703-308-1436. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-9099 for regular communications and 703-746-7240 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Hanh Thai *HT*
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October 4, 2002

Frantz Coby
FRANTZ COBY
PRIMARY EXAMINER
FRANTZ COBY
PRIMARY EXAMINER